

08 CIV 7141

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**INSTINET INCORPORATED, INSTINET  
HOLDINGS INCORPORATED, INSTINET  
GROUP, LLC, and INSTINET, LLC,**

Plaintiffs,

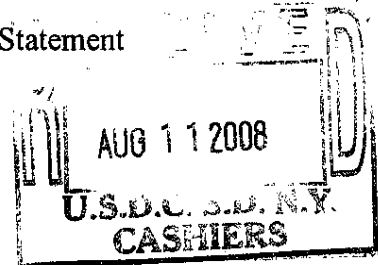
-against-

**ARIEL (UK) LIMITED,**

Defendant.

Civil Action No.

Rule 7.1 Statement



Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Instinet Incorporated, Instinet Holdings Incorporated, Instinet Group, LLC, and Instinet, LLC., certifies that: (i) Instinet Incorporated's stock is 100% owned by NHI Acquisition Holding Inc., which is a direct subsidiary of publicly held Nomura Holdings, Inc.; (ii) Instinet Holdings Incorporated is a wholly-owned subsidiary of Instinet Incorporated; (iii), Instinet Group, LLC, is a limited liability company; its membership interests are wholly owned by Instinet Holdings Incorporated; and (iv) Instinet, LLC is a limited liability company; its membership interest are wholly owned by Instinet Holdings Incorporated.

Dated: New York, New York  
August 11, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

A handwritten signature in cursive script, reading "Robert L. Sills".

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